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Is the Capabilities Approach Inefficient?

Shohei Edamura

0. Introduction

In this paper, I will argue that though Richard Arneson claims the capabilities approach defended by Martha Nussbaum is inefficient, in fact her capabilities approach does not oblige the just society to adopt an improficent decision. According to Nussbaum, the ultimate goal for the policies of the government is to provide all the fundamental capabilities for every member in the society. One of the fundamental capabilities is being able to have food which is sufficient for sustaining a healthy life. Thus, the government is supposed to be responsible for providing at least a minimum amount of foods to a citizen. These capabilities, however, are different from “achieved functionings” (Sen, 1992, p. 40). Even if the government provides a certain amount of foods, a citizen may not fully utilize her opportunity. For Arneson, it is clearly reasonable to provide actual functionings or flourishings rather than capabilities in some cases, and thus Nussbaum’s capabilities approach cannot be defended as it is.⁽¹⁾

In the first part of the paper, I discuss the general scheme and merits of Nussbaum’s capabilities approach. In the second part of the paper, I attempt to specify Arneson’s criticism against Nussbaum’s approach and argue that her approach is not as inefficient as Arneson supposes. This leads finally to a discussion of another case proposed by Arneson and of how Nussbaum’s approach can still be free from fatal deficiencies.

1. An Overview of the Capabilities Approach

The capabilities approach is proposed by Nussbaum and Amartya Sen, who are both inspired by Aristotle. According to Aristotle, the ultimate goal of the life of a human being is to actualize her own potential by doing human-like activities or achieving functionings. Having health and nourishment, and communicating with others are among cardinal functionings (EN 1166a21-2; Politics 1330b11, 1329b39ff; Nussbaum, 1990, p. 203, 218). Nussbaum and Sen explicitly utilize some of Aristotle’s ideas. First, they admit that there are fundamental functionings for human beings.⁽²⁾ Second, they distinguish three different states of an individual: (1) not having a potential or capability, (2) having a capability but not actualizing it, and (3) actualizing a capability.

It should be noted that there is a remarkable difference between Aristotle’s theory and Nussbaum’s

capabilities approach, however. Unlike Aristotle, Nussbaum's capabilities approach aims at achieving a condition in which all persons have the capability or real freedom to achieve all of the fundamental functionings deemed central to human life. In other words, social justice requires the provision of opportunities for perfection rather than the achievement of the thing itself. In fact, there is a noticeable difference between the views of Nussbaum and Sen. According to Arneson, "Nussbaum commits herself to two further claims about social justice that appear in Sen's writings but without receiving the stamp of his endorsement" (Arneson, 2005, p. 9).⁽³⁾ One of these claims is that "the just society provides capability to function in certain valuable ways at adequate threshold levels to all persons, not actual functioning in these ways at these levels to all" (Arneson, 2005, p. 9). It seems that for Sen, the fundamental capabilities are valuable, but they are still means of actual functionings. For example, provisions of foods are regarded as means for the actual consumption.⁽⁴⁾ On the other hand, Nussbaum does not suppose that the fundamental capabilities are means, and holds the aim of the policies of the government is to achieve the fundamental capabilities among people to the sufficient level, and there is no exception. Thus she simply and straightforwardly declares that "[c]apability, not functioning, is the appropriate political goal" (Nussbaum, 2002, p. 132).

Why does Nussbaum emphasize the concept of capability rather than that of functioning? One of the merits of the capabilities approach is that it allows people to make free choices concerning whether they actually do something or not. For Nussbaum, a person may choose a celibate life even if sexual expression is taken to be one of fundamental functionings. In this case, the just society should not force him to change his life style. Also, a person may choose to spend almost all the parts of her time for working, even though she has an adequate opportunity for play and recreation. Nussbaum claims that in these cases social justice will be satisfied as far as these people do not lack the opportunities or capabilities for enjoying modest amounts of play and recreation, and for having a satisfying sex life. Furthermore, from her liberal point of view, Nussbaum argues that it is unjust to force people to turn their capabilities into functionings.⁽⁵⁾ In general, the choice is left to citizens, and the government aims at capabilities leaving the rest to them (Nussbaum, 1990, p. 214).⁽⁶⁾ Thus Nussbaum modifies Aristotelian perfectionism in accordance with the modern liberal view.⁽⁷⁾

Not only fitting with the modern liberalism, Nussbaum's capabilities approach has other considerable merits. First, it provides a notable answer to the question "what kind of equality should the just society achieve?" For Nussbaum, the just society has to bring about the equal capabilities or real freedom to achieve fundamental functionings among people equally. So her view is an

alternative to the recourse oriented view defended by Ronald Dworkin and others. Second, how much the fundamental capabilities are achieved is easily estimated. In contrast, it is not easy to see how much preference satisfaction has been achieved given that preferences vary among individuals.

I will exclusively consider Nussbaum's approach in this paper, since her version emphasizes the importance of capabilities even more than Sen's account does. In that sense, Nussbaum's theory is considered to be a typical theory of the capabilities approach. By considering Nussbaum's approach, we may be able to find some intrinsic merits and problems of the capabilities approach.

2. Capabilities Approach and Inefficiency 1 -Opera House Case-

Though Nussbaum's capabilities approach is widely considered as a notable version of "egalitarian liberal perfectionism,"⁽⁸⁾ Arneson suggests some difficulties in her view. According to Arneson, there are cases in which it is absurd to opt for capabilities rather than functionings, and as a result, the capabilities approach is remarkably inefficient, and thus cannot be sustained as a plausible version of egalitarian liberal perfectionism (Arneson, 2001, p. 63).⁽⁹⁾

Let us see the first example in which for Arneson the society should achieve actual functionings or flourishing rather than capabilities:

Suppose that we could use funds from general taxation to subsidize opera (substitute some other good you deem genuinely valuable if you like) for adult citizens. We could do this in either of two ways. The first option devotes all available resources to enhancing people's capabilities (e.g., providing opportunities to see performances) and achieves a higher level of capability for all. The second option devotes some resources to propaganda aimed to persuade individuals to avail themselves of the provided opera-going opportunities. (Arneson, 2000, pp. 62-3)

Arneson rejects the first choice as something clearly inferior to the second, because the second will make people enjoy opera plays without spending a lot of budget from tax. If we choose the first, then the general taxation will be wasted a lot, without making people actually enjoy opera plays, and this result is intuitively implausible, which makes the first choice unsustainable. However, according to Arneson, Nussbaum would choose the first one, which is implausible.

Now we are in a position to examine Arneson's criticism. I will notice three points. First, one might suppose that the public offices are not responsible for achieving the capabilities of enjoying

stage plays of opera in Nussbaum's framework, since Nussbaum explicitly states that "subsidies that support some people's ideas of art against other people's will be problematic on [her] view" (Nussbaum, 2000b, p. 129).⁽¹⁰⁾ Thus she prefers "public support for the arts to be as nondiscriminatory as possible" (Nussbaum, 2000b, p. 129). However, even if so, some public offices can support stage plays of opera in certain kinds of situations. For example, if the public office of the city equally supports contemporary musicals and other arts, there will be no problem for supporting opera. So, in this section, I will examine whether Nussbaum would recommend to provide more stage plays of opera (first choice), or to give announcements so that citizens can enjoy the provided opportunities (second choice).

My second point is concerned with these two choices. In fact, the second choice might not be absolutely preferable to the first. To be sure, in some cases it is not reasonable to choose the first alternative. Suppose the opera houses are not always full, and a sufficient number of opera plays are available in the city. If some other people change their minds, and want to see the operas, certainly they will be able to do that. Also, suppose that advertisement of opera costs much less than the acts of stage plays at the opera houses do. Indeed, printing posters and reforming the website of opera houses probably do not expend a huge amount of funds compared to hiring additional actors and actresses, paying for their clothes and trainings, etc. In that kind of situation, it is inefficient to use finance from taxation to add some more acts of stage plays. On the other hand, if all the seats of the opera house are reserved, then Arneson's suggestion to take the second alternative does not make sense, since propaganda does not create any new acts of stage plays, and therefore citizens cannot enjoy plays even if they are attracted by propaganda.

Third, and the most important, we can still cast doubt if Nussbaum takes the first alternative, as Arneson suggests. Nussbaum states that the aim of Aristotelian Social Democracy is "to make sure that no citizen is lacking in sustenance" (Nussbaum, 1990, p. 228). Now we can formulate her idea in a more precise way:

- (A) The government should do x according to Nussbaum's capabilities approach if x is the best way to achieve the fundamental capabilities of people in the society to the sufficient level in that situation.

Given this formulation, if the second alternative succeeds in achieving the fundamental capabilities of people at least as much as the second one, then Nussbaum may take the first one. To examine

whether Nussbaum would choose the first choice or not, let us see a necessary and sufficient condition for an individual to have a certain kind of capability. Arneson seems to consider the capabilities of citizens in the society, and how Nussbaum would suggest achieving their capabilities. Now we have to take note of the great difference between the two following statements:⁽¹¹⁾

(B) Everyone has a capability to do x in the society if and only if the performance of x is possible for any one member in the society if she wants to.

(B') Everyone has a capability to do x in the society if and only if the performance of x is possible for all the members in the society if they want to.

(B) entails that anyone in the society has a capability of enjoying stage plays of opera only if there is a vacant seat for her. However, (B') entails that if the city has 100000 population, for instance, there should be 100000 vacant seats for achieving the capabilities of enjoying stage plays among citizens. Thus (B') requires much more than (B) does. I think Nussbaum would support (B) rather than (B'). Consider Arthur's capability to enjoy an opera in this society. Given that there are many vacant seats in an opera house, if Arthur wants to go there, and he has a sufficient amount of time and money for a ticket and transportation, certainly he is able to see the stage plays there. In the same way, Benjamin also has his capability to enjoy an opera. In general, we may be able to state that any person in this society has a capability to enjoy opera plays.

To be sure, we can also properly say that if 100000 people newly decide to enjoy opera plays, there would not be sufficient seats for them. So, these people do not have capabilities to enjoy opera plays in the city at the same time. Cohen suggests that it is possible that all the members want to do something at the same time.⁽¹²⁾ Yet, I think his objection works only when all the members actually want to do so. Then, as far as not all the members do not want to do so, or more precisely, the number of candidates is not clearly more than that of the vacant seats, it is still reasonable to say that any one of the members has a capability to do so. Or, we can explain Cohen's point on the basis of (B), not (B'). For instance, David cannot enjoy stage plays when all the other citizens want to do so and all the seats are occupied. Even if we accept (B), in fact, David does not have a capability to enjoy stage plays. However, as far as there are some available seats, any person may have a capability to see opera plays. If any person in the society has a capability to enjoy an opera play, then spending a lot of public money to have further plays in the opera house will not increase the total amount of capabilities in the society. Thus, the first choice will not be chosen by Nussbaum.

Does Nussbaum choose the second alternative? The answer is affirmative only if it increases the capabilities among people. Suppose that the propaganda does not achieve Arthur's capability (ex. Arthur has a handicap in his eyesight, and he cannot read posters well). If this is the case, as far as Arthur's capabilities are concerned, the second alternative does not work. But since the existence of vacant seats is a necessary, but not a sufficient condition for the citizen's capability to enjoy stage plays, there are many possible cases in which propaganda achieves capabilities among people. For instance, suppose that Benjamin estimates the price for the ticket to an opera play much higher than it is. In that case, if the propaganda helps him to know that the ticket is not so expensive, Benjamin might choose to see the opera. Or suppose that Cathy wants to see Donizetti's operas in particular, but does not want to see other plays. If this is the case, and if the propaganda correctly tells her the date of Donizetti's operas, then Cathy is likely to visit the opera house. In these cases, her capability of enjoying the opera has been achieved. Provided that the first alternative might not achieve the capabilities among people, and the second might achieve them, it is possible that Nussbaum would choose the second alternative. If so, Arneson's criticism that Nussbaum's choice is inappropriate seems unfounded.

3. Capabilities Approach and Inefficiency 2 - Small Island Case -

Given that we rejected Arneson's criticism of Nussbaum, one may be tempted to conclude that Nussbaum's capabilities approach is not undermined. However, Arneson suggests another unconvincing point of the capabilities approach by considering "a pure case of providing an effective opportunity for someone when it is known with certainty in advance that the person will not take up the opportunity" (Arneson, 1987, p. 533):

If Smith has dedicated himself to a life of prayer and fasting as a mendicant friar, and it is as certain as anything we know that he will never in his life be in a position of shopping for meaningful work, the capabilities approach must say it is worthwhile to as it were keep a desk in Whitehall open for Smith, so the meaningful work option is always there for him. This implication of the view strikes me as implausible. (Arneson, 1987, p. 533)

By examining this example, we would be able to see whether it undermines Nussbaum's capabilities approach. One of my worries, however, is that the given passage was written before 1990, when Nussbaum proposed her capabilities approach. The examination of this particular example may not

convince all in a defense of Nussbaum's view. For this reason I would propose another example which was more recently proposed by Arneson and embodies the spirit of his worry in the passage.⁽¹³⁾

Suppose that there are two small islands. Smith lives on island A, and Jones lives on island B. Smith has plenty of food, since A has many banana trees, palm trees, mango trees, wild boars and others. Jones does not have plenty of food, since most parts of B are covered with sand, and he hardly sees any fruit trees. Now Jones has a kind of mental disease, and whenever he has plenty of food, he does not know how to preserve them, and just throws them away into the sea. Smith knows that Jones has that disease, and he will throw away all the important provisions. In that case, does Smith still have to ship a lot of food for Jones? According to Arneson, Smith does not have to, since the consequence is not great at all. It is simply a waste of resources and work to ship his precious bananas to Jones in that case.

Again, let us see what kind of conclusion Nussbaum's capabilities approach establishes. Clearly, the capability of nourishment is among fundamental capabilities for Nussbaum.⁽¹⁴⁾ Also, given Nussbaum's thesis concerning fundamental capabilities, we have to conclude that the ultimate goal for any policy is to achieve the maximum capabilities among people. We are now in a position to move to a full analysis of what Nussbaum would suggest in this case. Basically, Nussbaum's capabilities approach considers the policies of the government and what the just society should achieve. But we can extend her idea in a way that we can conceive of what an individual can do to make the world better.⁽¹⁵⁾ The idea we have been developing is roughly that x is obliged to achieve the fundamental capabilities of people to the sufficient level. Probably we need to change this to a certain extent granting that an individual has property rights, and it is too much to obligate someone to give her properties for achieving the capabilities of others. Following this line, we may formulate this more precisely as follows, as a variation of (A):

(C) x is recommended to do y according to Nussbaum's capabilities approach if and only if y is the best way to achieve the fundamental capabilities of people in the world to the sufficient level for x in that situation.

If this formulation is correct, then we are in a position to examine whether Smith should ship a lot of foods on the basis of (C). Indeed, for Arneson, the statement that Smith is obliged to ship foods for Jones is regarded as forcing an unbelievably wasteful action. But according to the thesis (C), Smith is

not recommended to ship foods in all possible situations. In other words, it is only under a specific kind of situation that Smith is recommended to do so. To make it clear, let us substitute “Smith” for *x*, and “shipping foods for Jones” for *y*:

(D) Smith is recommended to ship foods for Jones according to Nussbaum’s capabilities approach if and only if shipping foods for Jones is the best way to achieve the fundamental capabilities of people in the world to the sufficient level for Smith in that situation.

The biconditional statement (D) entails the following conditional statement:

(E) Smith is recommended to ship foods for Jones according to Nussbaum’s capabilities approach only if shipping foods for Jones is the best way to achieve the fundamental capabilities of people in the world to the sufficient level for Smith in that situation.

Now we can take a counterposition from this statement (E) as the following:

(F) Smith is not recommended to ship foods for Jones according to Nussbaum’s capabilities approach if shipping foods for Jones is not the best way to achieve the fundamental capabilities of people in the world to the sufficient level for Smith in that situation.

Given this statement, can we show that pace Arneson, Nussbaum’s approach does not force one to do something so wasteful? First, we can imagine a situation in which Smith does not have these alternatives. Suppose that Smith does not know any island other than A and B. So Smith cannot ship foods for people living on another island. Also, suppose that Smith already has so much food for himself. He will certainly waste food if he keeps all the food just for himself. In that situation, probably Nussbaum’s capabilities approach obligates Smith to ship food for Jones. However, it is not reasonable to say that Smith can use these foods in a more efficient way. Thus, it is not fair to conclude that Nussbaum’s view obligates Smith to waste a lot of food.

Second, we can also imagine different situations. Suppose that Smith knows another land in which many people are living. Also, they need a lot of food now, and know how to manage food. That is to say, they will not waste food that they would get from Smith. Even in that case, does Nussbaum’s capabilities approach still obligate Smith send his foodstuff to Jones? Smith has two alternatives.

One is to ship his foods to island C, where so many reasonable people are living. The other is to ship the food to Jones' island. To see which to choose, we have to see how Nussbaum's capabilities approach determines the best way to achieve the fundamental capabilities among people to a sufficient level. Nussbaum's capabilities approach is deeply concerned with equality, and she is trying to achieve basic capabilities among as many people as possible.⁽¹⁶⁾ So, for instance, if one alternative achieves the same kind of capability among two people, while the other achieves the same capability of one person, then the first alternative should be chosen. In general:

(G) If two alternatives achieve the same capability, and one achieves it among more people than the other, the former alternative should be chosen.

Now shipping foods to island C achieves the fundamental capabilities of many people, since by doing so they will be able to eat the food. On the other hand, shipping food to island B only achieves the fundamental capability of Jones alone. Thus it is clear that Nussbaum's capabilities approach recommends Smith to ship food to island C, and certainly Arneson would accept this conclusion.

How about the case in which the number of people who will have the capabilities is the same? Suppose that there is another island D, in which Charles is living. He is the only resident of D. But unlike Jones, Charles will not waste the food if Smith gives him some. Also, Charles cannot find a sufficient amount of food in D. In this case, does Nussbaum have a reason to conclude that Smith should ship foods for Charles, not for Jones? One problem with this case is that shipping foods to Charles just achieve the same capability (being able to eat) of the same number of people (namely, one) compared to shipping them to Jones. Also, Nussbaum does prioritize capabilities over actual functionings. So, one might take Nussbaum's capabilities approach to be totally indifferent to these two choices. I think, nonetheless, it is possible that Smith should ship foods for Charles prior to Jones in the framework of Nussbaum's capabilities approach. To be sure, Nussbaum emphasizes that fundamental capabilities have intrinsic value, and thus they are not means of actual functionings. But it does not mean that actual functionings have no intrinsic value. If they have some, then we can conclude the following:

(H) If one alternative achieves an actual functioning which the other does not, the first alternative should be chosen given these two alternatives achieve the same capability among the same number of people.

One problem with this formulation (H) is that it is not explicitly suggested in Nussbaum's work. But since Nussbaum does not explicitly state that actual functionings do not have any intrinsic value, we can at least conclude the following statement:

(I) If there are two alternatives, and both of them achieve the same capabilities of the same number of people, then one is allowed to choose one that will achieve the higher functionings, and also it is not the case that the other choice is recommended.

This statement can be applied to another case, in which Smith himself really needs food. On the basis of this statement, we can say that Nussbaum would not obligate Smith to ship food for Jones if Smith himself needs it.

In brief, in all of these cases Nussbaum would not recommend Smith to ship food for Jones, since this is not a way to achieve capabilities to a sufficient level. We have good reasons to claim that Nussbaum's capabilities approach is not inefficient and wasteful as Arneson claims.

4. Conclusion

As far as the examined criticisms are concerned, Nussbaum's capabilities approach remains a viable option within the theory of egalitarian liberal perfectionism. The inefficiency charge can be met, at least in part, by showing that Nussbaum's capabilities approach does not force one to choose unreasonably wasteful alternatives. Though this paper does not show that Nussbaum's approach is theoretically robust in any aspect, it may suggest that her view can be regarded as a promising version of egalitarian liberal perfectionism.

Notes

(1) Also, Arneson shows his second criticism of Nussbaum's capabilities approach. Nussbaum states that all fundamental capabilities must be in the sufficient level, but for Arneson, first, the thresholds are set arbitrarily, and second, it is not reasonable to admit a kind of trade off among capabilities (Arneson, 2005; cf. Nussbaum, 2000b, p. 126). For instance, even if a famous physicist lacks his capability to move his body well, the quality of his overall capabilities must be sufficient given that his intellectual ability is awesome. In this paper, however, I will not examine this criticism against Nussbaum.

(2) See Sen, 1992, pp. 40-2. Nussbaum proposes her own list of functional capabilities:

1. Being able to live to the end of a complete human life, as far as is possible; not dying prematurely, or before one's life is so reduced as to be not worth living.
2. Being able to have good health; to be adequately nourished; to have adequate shelter; having opportunities

for sexual satisfaction; being able to move about from place to place.

3. Being able to avoid unnecessary and non-useful pain, and to have pleasurable experiences.

4. Being able to use the five senses; being able to imagine, to think and reason.

5. Being able to have attachments to things and persons outside ourselves; to love those who love and care for us, to grieve at their absence; in general, to love, grieve, to feel longing and gratitude.

6. Being able to form a conception of the good and to engage in critical reflection about the planning of one's own life.

7. Being able to live for and to others, to recognize and show concern for other human beings, to engage in various forms of familial and social interaction.

8. Being able to live with concern for and in relation to animals, plants, the world of nature.

9. Being able to laugh, to play, to enjoy recreational activities.

10. Being able to live one's own life and nobody else's.

10a. Being able to live one's own life in one's very own surroundings and context. (Nussbaum, 1990, p. 225; 1993, pp. 57-8)

It should be noted that Nussbaum explicitly states that the list is provisional, and can be revised by further considerations. Her "thick vague theory" is not metaphysical, but comes from "the actual self-understandings and evaluations of human beings in the society" (Nussbaum, 1990, p. 217). So, it is possible that the list will be improved by further self-reflections in the future. Later she proposed a slightly revised version of her list, which is basically the same as the first one:

The Central Human Capabilities

1. Life. Being able to live to the end of a human life of normal length; not dying prematurely, or before one's life is so reduced as to be not worth living.
2. Bodily Health. Being able to have good health, including reproductive health; to be adequately nourished; to have adequate shelter.
3. Bodily Integrity. Being able to move freely from place to place; to be secure against violent assault, including sexual assault and domestic violence; having opportunities for sexual satisfaction and for choice in matter of reproduction.
4. Senses, Imagination, and Thought. Being able to use the senses, to imagine, think, and reason—and to do these things in a "truly human" way, a way informed and cultivated by an adequate education, including, but by no means limited to, literacy and basic mathematical and scientific training. Being able to use imagination and thought in connection with experiencing and producing works and events of one's own choice, religious, literary, musical, and so forth. Being able to use one's mind in ways protected by guarantees of freedom of religious exercise. Being able to have pleasurable experiences and to avoid nonbeneficial pain.
5. Emotions. Being able to have attachments to things and people outside ourselves; to love those who love and care for us, to grieve at their absence; in general, to love, to grieve, to experience longing, gratitude, and justified anger. Not having one's emotional development blighted by fear and anxiety. (Supporting this capability means supporting forms of human association that can be shown to be crucial in their development.)
6. Practical Reason. Being able to form a conception of the good and to engage in critical reflection about the planning of one's life. (This entails protection for the liberty of conscience and religious observance.)
7. Affiliation:
 - A. Being able to live with and toward others, to recognize and show concern for other human beings, to engage in various forms of social interaction; to be able to imagine the situation of another. (Protecting this capability means protecting institutions that constitute and nourish such forms of affiliation, and also protecting the freedom of assembly and political speech.)
 - B. Having the social bases of self-respect and nonhumiliation; being able to be treated as a dignified being whose worth is equal to that of others. This entails provision of nondiscrimination on the basis of race, sex, sexual orientation, ethnicity, caste, religion, national origin.
8. Other Species. Being able to live with concern for and in relation to animals, plants, and the world of nature.
9. Play. Being able to laugh, to play, to enjoy recreational activities.
10. Control over One's Environment:
 - A. Political. Being able to participated effectively in political choices that govern one's life; having the right of

political participation, protections of free speech and association.

- B. Material. Being able to hold property (both land and movable goods), and having property rights on an equal basis with others; having the right seek employment on an equal basis with others; being the freedom from unwarranted search and seizure. In work, being able to work as a human being, exercising practical reason and entering into meaningful relationships of mutual recognition with other workers.
“ (Nussbaum, 2000c, pp. 1021-2)

(3) In his previous paper, Arneson already noted this distinction between Nussbaum and Sen, in a more humble way:

Should a moral principle that asks us to promote human perfection take as its task the provision of opportunities for perfection or the achievement of the thing itself? Nussbaum consistently advocates the former. Sen also leans toward the capability-oriented view, but less definitely than Nussbaum. (Arneson, 2001, p. 50)

(4) Later Arneson points out that according to Sen’s capabilities approach “a person’s well-being can be identified with the quality of her beings and doings, what Sen calls “functionings”” (Arneson, 2007, p. 102).

(5) In fact, Nussbaum takes note with some exceptional cases in which the choices of citizens can be restricted:

Except in areas involving harm to others, and areas involving the health and education of children, we extend options to citizens, rather than dragooning them into a definite mode of live, because we respect their ability to design and lead a life. (Nussbaum, 2000c, p. 1022)

But even in this statement, we can clearly understand that Nussbaum introduces a wide range of freedom of choice for citizens.

(6) Sen also suggests the necessity to respect individual freedom when he writes “in dealing with responsible adults, it is more appropriate to see the claims of individual on the society in terms of freedom to achieve rather than actual achievements” (Sen, 1992, p. 148).

(7) Nussbaum claims that though her theory is different from Rawls’, it is still within the framework of political liberalism (Nussbaum, 2000b, p. 128).

(8) This expression shows up in Arneson’s work. See Arneson, 2000, p. 63.

(9) Nussbaum explicitly admits that “some of the reasons [she] might give for preferring capability to functioning as goal are not very good reasons” (Nussbaum, 2000b, p. 129). But in all, for Nussbaum, respect for choice is the best reason.

(10) Also, Nussbaum did not explicitly refer to the capability of enjoying arts in her list (Nussbaum, 1990, p. 225). But it could be a kind of capability to feel pleasure (no.3), to exercise intellectual abilities (no.4), or to have recreations (no.9).

(11) I was inspired by the argument of G.A.Cohen in “The Structure of Proletarian Unfreedom.” Cohen distinguishes being forced “in sensu diviso” and being forced “in sensu composito” in accordance with the language of medieval schoolmen (Cohen, 1983, pp. 12-3). Suppose that if a worker tries to do so, he can escape from exploitation in his factory, since a better job is available now. But also suppose that there are many other workers in the society, and the number of seats is not sufficient for them. In that case, he might suffer from “collective unfreedom” (Cohen, 1983, p. 11).

However, at least, he is not forced to sell his labor in sensu diviso.

(12) Cohen proposes the following example:

Suppose, for instance, that a hotel, at which one hundred tourists are staying, lays on a coach trip for the first forty who apply, since that is the number of seats in the coach. And suppose that only thirty want to go. Then, on my account, each of the hundred is free to go, but their situation displays a collective unfreedom. Yet it seems wrong, the objector says, to speak of unfreedom here. I do not agree. For suppose all of the tourists did want to go. (Cohen, 1983, p. 18)

(13) Actually, this example was suggested by Arneson in our conversation which took place on March 26 2009. But we can read off his ideas from his article in 1987. Also, in his paper “Politics and Perfectionism,” Arneson states that there is a case in which one knows that the capabilities will not be achieved as functionings.

To see that the issue of capability versus functioning involves more than metaphysical hairsplitting, consider the

case where one can at some cost enable an individual to achieve a capability but one knows for certain that the capability will not be exercised. In this circumstance the individual might value the unexercised capability... (Ameson, 2000, p. 53)

(14) We can find being able to nourish oneself in the second article of her list (Nussbaum, 1990, p. 225).

(15) Since Nussbaum is a cosmopolitan, she often talks about the global approach to achieve the capabilities of people in the world (Nussbaum, 2000b, pp. 132-4).

(16) This is one motivation of her consideration of women's capabilities (ex. Nussbaum, 2000a; 2002, pp. 123-4). The inequality of capabilities among men and women, for her, is unacceptable.

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